

Serial Number *10074303*	Application No.	Applicant(s)
	10/074,303	WU

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The term of this patent shall not extend beyond the expiration date of U.S. Patent No:		6,760,158	6,130,971
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REJECTION OVER A PRIOR PATENTDocket Number (Optional)
AVAN/001507.P2

In re Application of: SHUDONG WU

Application No. 10/074,303

Filed: FEBRUARY 11, 2002

For: MULTI-FUNCTIONAL OPTICAL DEVICE UTILIZING MULTIPLE POLARIZATION BEAM SPLITTERS AND NON-LINEAR INTERFEROMETERS

The owner¹, AVANEX CORPORATION of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patents No. 6,760,158, 6,130,971, 6,215,928, 6,263,129 and 6,310,690. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

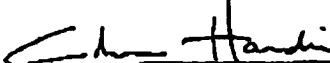
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2. The undersigned is an attorney of record.

 7/16/04

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Chance E. Hardie

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